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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,605	07/19/2006	Kazuhito Senba	DK-US040113	1656
22919	7590	02/04/2009		EXAMINER
GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			RUBY, TRAVIS C	
			ART UNIT	PAPER NUMBER
			4184	
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			02/04/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/586,605	<b>Applicant(s)</b> SENBA ET AL.
	<b>Examiner</b> TRAVIS RUBY	<b>Art Unit</b> 4184

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

#### Status

- 1) Responsive to communication(s) filed on 19 July 2006.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 July 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1448)<br>Paper No(s)/Mail Date <u>7/19/2006</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoon et al (US2004/0117069A1).

Yoon et al teaches:

**Re Claim 1.** An air conditioning monitoring and control system, comprising (abstract, Figure 2, Paragraph 12):

an air conditioner (ref 250, Paragraph 21);  
a first air conditioning monitoring and control device (ref 300) communicating with the air conditioner and programmed to include a first monitoring and control section and a second monitoring and control section that are configured to monitor and/or control the air conditioner (Paragraphs 24, 25, and 28. Paragraph 28 teaches that controller 300 is configured to control

multiple air conditioners 250. The multiple air conditioners 250 can be interpreted as the multiple monitoring and control sections); and

a second air conditioning monitoring and control device communicating with the air conditioner and programmed to include the first monitoring and control section and a third monitoring and control section that are configured to monitor and/or control the air conditioner (Paragraphs 24, 25 and 28. It is inherent that an additional monitor can be used since the reference teaches a remote access through the internet. This means that any computer that uses internet can access the controller and thus be a monitoring device. Paragraph 34 teaches that a downloadable control program can be accessed on a remote controller, which can be interpreted as the remote monitoring and control device being programmed to include the monitoring and control sections.).

**Re Claim 2.** Yoon et al teaches that the first air conditioning monitoring and control device and the second air conditioning monitoring and control device communicate with the air conditioner using a first communication protocol (abstract, Paragraph 38,Paragraph 41 lines 4-6).

**Re Claim 3.** The air conditioning monitoring and control system according to claim 2, further comprising:

a first monitoring panel (ref C) connected to or built into the first air conditioning monitoring and control device to monitor the air conditioner (Paragraphs 28 and 37); and

a second monitoring panel connected to or built into the second air conditioning monitoring and control device to monitor the air conditioner (Paragraphs 28 and 37. It is inherent

that an additional monitor can be used since the reference teaches a remote access through the internet. This means that any computer that uses internet can access the controller),  
the second air conditioning monitoring and control device further including a communication protocol conversion unit capable of converting between the first communication protocol and a second communication protocol (ref 400, Paragraph 30),  
the first monitoring panel being configured to communicate with the first air conditioning monitoring and control device using the first communication protocol (Paragraph 28 teaches that the central controller uses the air conditioner protocol), and  
the second monitoring panel being configured to communicate with the second air conditioning monitoring and control device using the second communication protocol (Paragraph 28 teaches that the remote internet controller uses the internet protocol).

**Re Claim 4.** The air conditioning monitoring and control system according to claim 3,  
wherein

the first communication protocol is a manufacturer-private protocol (Paragraph 28 teaches that the central controller uses the air conditioner protocol), and  
the second communication protocol is an open protocol (Paragraph 28 teaches that the remote internet controller uses the internet protocol. It can be appreciated that the internet protocol is an open type communication protocol since it is universal).

**Re Claim 5, 8, 11, and 14.** The first and second air conditioning monitoring and control devices are connected to the air conditioner via the same communication line (Paragraphs 24-

26).

**Re Claim 6, 9, 12, 15, 17, 19, and 20.** The first monitoring and control section is configured for performing at least one type of control with respect to the air conditioner (Paragraph 28), and

at least one of the first air conditioning monitoring and control device and the second air conditioning monitoring and control device has a control selection section that allows a selection to enable or disable the one type of control, or each of at least two types of control where the first monitoring and control section is configured for performing two or more types of control (Paragraph 28 teaches that a control command can be inputted into the controller).

**Re Claim 7, 10, 13, 16, and 18.** The control performed by the first monitoring and control section includes at least one of a forcible thermo OFF control and a scheduled operation control of the air conditioner (Paragraph 29. It can be appreciated that turning the thermo off can be accomplished by sending a control command to the central controller, ref 300, through the remote controller, C,).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAVIS RUBY whose telephone number is (571)270-5760. The examiner can normally be reached on Monday-Thursday 7:30-5:00, Friday 7:30-4:00 with every other Friday off.

Art Unit: 4184

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Travis Ruby/  
Examiner, Art Unit 4184

1/30/2009

/Jared J. Fureman/  
Supervisory Patent Examiner, Art Unit  
4184